

**ALLEGED SHIPMENT:** On or about October 8, 1948, from the State of New York into the State of Massachusetts.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect and rodent hair fragments.

**DISPOSITION:** March 26, 1951. A plea of guilty having been entered, the court imposed a fine of \$1,000 against the defendant.

**17112. Adulteration of cheese. U. S. v. John Dauwalder (Bunker Hill Cheese Co.).** Plea of guilty. Fine of \$500, plus costs. (F. D. C. No. 29126. Sample Nos. 12551-K, 52241-K.)

**INFORMATION FILED:** June 20, 1950, Northern District of Ohio, against John Dauwalder, trading as the Bunker Hill Cheese Co., Millersburg, Ohio.

**ALLEGED VIOLATION:** On or about November 11, 1948, and May 23, 1949, the defendant gave to firms engaged in the business of shipping cheese in interstate commerce, at Dover and Canton, Ohio, guaranties to the effect that no cheese sold by the defendant to the holders of the guaranties would be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

Within the period from on or about October 13, 1949, to on or about November 16, 1949, the defendant shipped and delivered under the guaranties, at Dover and Canton, Ohio, quantities of cheese that were adulterated.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent hairs, rodent-gnawed cheese, insects, and insect fragments; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 23, 1951. A plea of guilty having been entered, the court imposed a fine of \$500, plus costs, against the defendant.

**17113. Adulteration of cheese. U. S. v. Italian Cheese Mfg. Co. and Joseph P. Tito.** Pleas of nolo contendere. Fine of \$300 against company; imposition of sentence suspended with respect to Joseph P. Tito, and this defendant placed on probation for 1 day. (F. D. C. No. 30057. Sample Nos. 57585-K, 57586-K, 74115-K, 74116-K, 74118-K, 74119-K.)

**INDICTMENT RETURNED:** December 12, 1950, Eastern District of Pennsylvania, against the Italian Cheese Mfg. Co., a partnership, Bath, Pa., and Joseph P. Tito, a partner in the partnership.

**ALLEGED SHIPMENT:** On or about May 12 and 19, June 23 and 30, and July 11, 1950, from the State of Pennsylvania into the State of New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), the article had been prepared and held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 24, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of \$300 against the company and suspended the imposition of sentence against the individual, and placed the individual on probation for 1 day.

## MISCELLANEOUS DAIRY PRODUCTS

**17114. Adulteration of sweetened condensed milk and sweet cream. U. S. v. Ashley Milk Co. Plea of guilty. Fine of \$500, plus costs. (F. D. C. No. 30065. Sample Nos. 77622-K, 77623-K.)**

**INFORMATION FILED:** December 30, 1950, Western District of Missouri, against the Ashley Milk Co., Linn, Mo.

**ALLEGED SHIPMENT:** On or about October 3 and 10, 1950, from the State of Missouri into the State of Illinois.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of flies, insect fragments, and manure fragments.

**DISPOSITION:** March 19, 1951. A plea of guilty having been entered, the court imposed a fine of \$500, plus costs, against the defendant.

## EGGS

**17115. Adulteration of frozen eggs. U. S. v. 516 Cans, etc. (F. D. C. No. 30236. Sample No. 91987-K.)**

**LIBEL FILED:** November 9, 1950, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about October 9, 1950, by the Highway Butter & Egg Co., from Nashville, Tenn.

**PRODUCT:** 1,866 30-pound cans of frozen eggs at Brooklyn, New York.

**LABEL, IN PART:** "Frozen Whole Eggs \* \* \* Packed by Goldhill Food Corp. \* \* \* Nashville, Tennessee."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** November 27, 1950. The Highway Butter & Egg Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the purpose of segregating and denaturing the unfit portion, under the supervision of the Food and Drug Administration. 1,602 cans of eggs were salvaged as fit for consumption and 259 cans were denatured.

**17116. Adulteration of frozen eggs. U. S. v. 44 Cans \* \* \*. (F. D. C. No. 29687. Sample No. 79362-K.)**

**LIBEL FILED:** August 14, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about July 5, 1950, by the Omaha Cold Storage Co., from Omaha, Nebr.

**PRODUCT:** 44 30-pound cans of frozen eggs at Boston, Mass.

**LABEL, IN PART:** "Frozen Whole Eggs \* \* \* Packed & Distributed by Chapin & Adams Corp. Boston, Mass."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** March 20, 1951. The Omaha Cold Storage Co. having filed an answer and later having withdrawn it, judgment of condemnation was entered and the court ordered that the product be destroyed.